

10. Comparative Law

I. *The Japan Society of Comparative Law* held its 78th General Meeting at Chuo University on June 6 and 7, 2015.

First Day

1. Anglo-American Law Section:

- (1) “Syndicated Loans in British Law ~ with a Comparison with Japanese Law as a Clue ~”
Toshiyasu Kitou (Nihon University)
Chaired by Motoaki Tazawa (Professor, Meiji Gakuin University)
- (2) “Role of the Non-Executive Director in British Quoted Companies”
Takuya Okubo (Professor, Nihon University)
Chaired by Haruhito Takada (Professor, Keio Law School)
- (3) “Freedom of Expression of Students on the Internet in USA”
Kumiko Fukuoka (Associate Professor, Doshisha Women’s College of Liberal Arts)
Chaired by Toru Mouri (Professor, Graduate School of Kyoto University)

2. Continental Law Section:

- (1) “Third-Party Discipline in Administrative Litigation — Japan Seen from German and France —”
Tomohiko Tatsumi (Associate Professor, Seikei University)
Chaired by Akio Ebihara (Professor, Graduate School of the University of Tokyo)
- (2) “About the Terms of Violation of the Right to Require Interrogation as Violation of laws and Regulations in German”
Takeshi Miura (Associate Professor, Shigakukan University)
Chaired by Takehiko Mikami (Professor, Keio Law School)

3. Socialist Law and Asian Law Section:

- (1) “Investigation into Suspects and its Normalization in Korea”
Shota Abe (Research Fellow of the Japan society for the Promotion of Science, Researcher, Graduate School of Aoyama Gakuin University)
Chaired by Naoya Yamaguchi (Professor, Ritsumeikan Law School)
- (2) “Phase of the Institution of the Management and Penalty of Public Security in the System of Sanctions in China – from Relationship and Comparisons with Criminal Institutions”
Kazushige Sakaguchi (Associate Professor, Graduate School of Osaka University)
Chaired by Ken Suzuki (Professor, Graduate School of Hokkaido University)
- (3) “Construction and Theory of the Law System of Changes in Real Rights Concerning Immovable Properties – Research into Interpretational and Legislative Suggestions for Japanese Law”
Zheng Frong (Associate Professor, Hiroshima Shudo University)
Chaired by Keiko Yoshii (Professor, Meiji University)

4. Mini-Symposium A:

“Compilation of Civil Code and Support of Development of Legal Systems in Lao”

Chaired by Hiroshi Matsuo (Professor, Keio University)

- (1) “Provisions, Natural Person·Artificial Person”
Kenzo Okawa (Assistant Professor, Setsunan University)
- (2) “Family, Succession”
Kiyoko Nishi (Associate Professor, Keio Law School)
- (3) “Property and Proprietary, Real Security”
Hiroshi Matsuo
- (4) “Contract and Obligation outside the Contract, Human Security”
Masamichi Nozawa (Professor, Rikkyo University)
- (5) Comments
Toyohiro Nomura (Japan Energy Law Institut)

7. Mini-Symposium B:

“Conformational Transition of the British Administrative Controversy System”

Chaired by Hidenori Sakakibara (Professor, Nanzan Law School)

- (1) “Conformational Transition of Court and Tribunal System”
Hidenori Sakakibara
- (2) “Theoretical Tendencies of Judicial Review”
Ryuichiro Fukazawa (Professor, Kyushu University)
- (3) “Discussion of the Structural Reform Argument of the Judicial Review System – Focus on the Standing to Sue”
Akitomo Hayashi (Associate Professor, Kinki University)
- (4) “Guarantee of Access to the Judicature in Administrative Litigation”
Kensuke Ueda (Professor, Kinki Law School)
- (5) “Administrative Controversy about Urban Planning and the Environment”
Hideo Horasawa (Associate Professor, Nanzan University)

8. Mini-Symposium C:

“Rights of Minorities and Affirmative Action in Asia”

Chaired by Yukinori Udagawa (Professor, Graduate School of Nagoya University)

- (1) “Introduction”
Nobuo Kouchu (Professor, Kansai University)
- (2) “India”
Noriyuki Asano (Professor, Osaka Ohtani University)
- (3) “Malaysia”
Naoko Kuwahara (Associate Professor, Fukuyama City University)
- (4) “Taiwan”
Wu Yuzong (Professor, Shih Hsin University, Taiwan)
- (5) “China”
Yukinori Udagawa
- (6) “Japan”
Kenichi Ochiai (Associate Professor, Hokkaido University)

Second Day**Symposium:****“International Tendency of Security Law — Comparative Studies about Diversity and the Community of the Security System —”**

Chaired by Koji Ohmi (Professor, Waseda University) and Hiroto Dogauchi (Graduate School of the University of Tokyo)

- (1) “Introduction”
Koji Ohmi
- (2) “German Law”
Shigeru Toriyabe (Professor, Hiroshima University)
- (3) “French Law”
Naoya Katayama (Professor, Keio Law School)
- (4) “English Law”
Hiroto Dogauchi
- (5) “American Law”
Noriyuki Aoki (Professor, Waseda University)
- (6) “Korean Law”
Kwon Cheol (Professor, Sungkyunkwan University)
- (7) “Chinese Law”
Shen Zhengwu (Professor, Shandong University, China)

II. The *Japanese American Society for Legal Studies* held its 52st General Meetings at the Campus Plaza Kyoto on September 26 and 27, 2015.

First Day**Seminar of Judicial Precedents:**

- (1) “Burwell, Secretary of Health and Human Services v. Hobby Lobby Stores, Inc., 134 S. Ct. 2751 (2014)”
Yuki Kobayashi (Assistant Professor, Asahi University)
- (2) “Motorola Mobility LLC v. AU Optronics Corp., 775 F.3d 816 (7th Cir. 2015)”
Yasumi Ochi (Meiji Law School, Tokyo Roppongi Law & Patent Offices)
- (3) “American Broadcasting Cos., Inc. v. Aereo, Inc., 134 S. Ct. 2498

(2014)”

Sun Yourong (Graduate School of Hokkaido University)

- (4) “Naoko Ohno v. Yuko Yasuma, 723 F.3d 984 (2013)”

Naoshi Takasugi (Professor, Doshisha University)

- (5) “National Labor Relations Board v. Noel Canning, 573 U.S., 134 S. Ct. 2550 (2014)”

Masaki Miyuki (Associate Professor, Graduate School of Yokohama National University)

Second Day

Symposium:

“Existence of the Dodd-Frank Act”

- (1) Keynote Speech: “THE SINGLE-POINT-OF-ENTRY (SPOE) STRATEGY FOR ORDERLY LIQUIDATION AUTHORITY (OLA) UNDER TITLE II OF DODD-FRANK (DF): AN ASSESSMENT”

Charles W. Mooney, Jr. (Professor, University of Pennsylvania Law School)

- (2) Keynote Speech: “FOUNDING PRINCIPLES OF THE CONSUMER FINANCIAL PROTECTION BUREAU”

Patricia A. McCoy (Professor, Boston College Law School)

- (3) “Regulations of the OTC derivative market under the Dodd-Frank Act”

Naohiko Matsuo (The University of Tokyo, Nishimura & Asahi Law Professional Corporation)

- (4) “Corporate Governance of Financial Institutions after the Financial Crisis”

Nobuko Matsumoto (Professor, Gakushuin University)

- (5) “Legal Regulation of Credit-Rating Firms in USA”

Yoko Manzawa (Assistant Professor, Senshu University)

- (6) “Settlement of Accounts and Protection of Investors”

Tetsuo Morishita (Professor, Graduate School of Sophia University)

- (7) “About the ‘Volcker Rule’”

Atsushi Koide (Professor, Gakushuin University)

III. *Die Japanisch-Deutsche Gesellschaft für Rechtswissenschaft* held its 2015 General Meeting at Shirankaikan Annex on July 4, 2015.

Lecture:

“European Heritage of Constitutional Countries in the Epoch of Globalization”

Michael Stolleis (Prof. em. Dr. Dr. h. c. mult.)

IV. *La Société franco-japonaise de Science Juridique* held its 55th General Meeting at The University of Tokyo, on February 14, 2015.

Lecture:

- (1) “Development of Theory about the Right of Management of Public Property”

Satoko Fukushima (Associate Professor, University of Kitakyushu)

- (2) “Rene Demogue and the ‘Pandora’s Box’ – Discussion of Responsibility of Third-Parties Concerned with Default of Contract as a Clue–”

Nao Ogino (Associate Professor, Doshisha University)

V. The *Association for “Societal System & Law” Studies* held its 2015 General Meeting at The University of Tokyo, Institute for Advanced Studies on Asia, on June 15, 2015.

- (1) “Sustainable Environment and the National Legal System in China”

Masanori Kobayashi (Professor, Wako University)

- (2) “Creation and Autonomy of ‘Nation’ in Vietnam in Terms of the Construction of the Nation-State”

Miho Ito (Assistant Professor, Kanda University of International Studies)

- (3) “Problems of Crimea and Ideology of the Right of National Self-Determination”

Kenjiro Shibuya (Professor, Graduate School of Kobe University)

VI. The *Japanese Association of Asian Law* held its 2015 Conference at International Christian University on June 20, 2015.

First Day**Individual Reports:**

- (1) “Present and Problems of Studies about Asian Family Law”
Tomiyuki Ogawa (Professor, Fukuoka Law School), Hiroko Ito (Designated Associate Professor, Graduate School of Nagoya University), Kenzo Okawa (Assistant Professor, Setsunan University)
- (2) “Main Current and Tributary of Chiba’s Jurisprudence – Revisitation Corresponding to Project of Memorial Publishment”
Shinichiro Ishida (Associate Professor, Tokyo Metropolitan University)

Second Day**Symposium:****“Asian Parliamentary Systems”**

Nobuo Kouchu (Professor, Kansai University), Tomoki Kamo (Associate Professor, Keio University), Yuzuru Shimada (Associate Professor, Graduate School of Nagoya University), Noriyuki Asano (Kansai University), Nobuhiro Okada (Designated Professor, Graduate School of Hokkaido University)

VII. The *Japanese Association of Asian Law* held its 2015 General Meeting at Meiji University on November 14, 15, 2015.

First Day**Individual Reports:**

- (1) “Present and Problems of the Reform of the Chinese Adult Guardianship System – Based on a Precedent in Shandong –”
Eiichi Ichikawa (Japan Law Foundation)
- (2) “Act on Regulation of Clauses in Korean~Cross Streets of Competition Law and Consumer Law”
Kazuhiko Matsuo (Doctoral Degree Holder, Seoul University)
- (3) “Is Constitutional Adjudication Undergoing a Sea Change? – Foreign Precedents and Constitutional Interpretation in Singapore”

David Courron (Associate Professor, Nanzan University)

Second Day

Symposium:

Chaired by Takumi Shimada (Professor, Doshisha University)

- (1) “Introduction Report: Institution, Function, and Base Concerned with Parliament”
Masahito Tadano (Professor, Graduate School of Hitotsubashi University)
- (2) “Specific Report 1: Japanese Parliamentary Government”
Katsutoshi Takami (Professor, Sophia Law School)
- (3) “Specific Report 2: Function of the National Assembly in the Korean Presidential System”
Noriko Kokubun (Professor, Graduate School of Nagoya University)
- (4) “Specific Report 3: The Bicameral System in Asian Various Countries”
Masaki Ina (Guest Professor, International Christian University)
- (5) “Specific Report 4: Relationship between Party and Parliament in One Party Control System – Focus on Local Administration in Lao”
Hiroyuki Seto (Designated Assistant Professor, Nagoya University Graduate School)
- (6) Discussion

VIII. *The European Union Studies Association-Japan* held its 36th Annual Conference at Kansai University on November 21 and 22, 2015.

Topics:

“EU and Asia – Meaning for Mutuality –”

First Day

1. Plenary Session I

Chaired by Hiromasa Kubo (Professor, Setsunan University)

- (1) “[Keynote Speech] EU and Asia”
Toshiro Tanaka (Professor, Keio University)
- (2) “Crisis in the Euro Area and Lessons for Asia”

Eiji Ogawa (Professor, Graduate School of Hitotsubashi University)

- (3) “Feature of Economic Partnership Agreements and Strategic Partnership Agreements of the EU in Asia”

Tomohiko Kobayashi (Associate Professor, Otaru University of Commerce)

2. Plenary Session II

Chaired by Tamio Nakamura (Professor, Waseda University)

- (1) “An update on EU-Japan relations and the importance of FTA and SPA”
Viorel Isticioaia-Budura (Ambassador of the EU to Japan)

- (2) “Normative Powers and European Foreign Policy in a Minilateralist World”

Gunther Hellmann (Professor, Goethe University Frankfurt)

- (3) “Korea-EU FTA and its Impacts on the Korean Economy”

Hae Jo Chung (Pukyong National University)

- (4) Discussion

Second Day

1. Group Session A: “EU Law Practice for Japanese Companies and Lawyers”

Explain

Setsuko Yufu (Atsumi & Sakai Law Offices, Joint Ventures)

I. “Competition Law in EU and Japanese Companies”

- (1) “Contract of Distribution and Competition Law in EU”

Kazuhiko Yamagishi (Asahi Law offices)

- (2) “Competition Law in EU and Lawyers – Correspondence to Action for Damages in Case of Cartel Research, Business Combination Regulations, and Violation of Cartel –”

Takeshige Sugimoto (Wilmer Cutler Pickering Hale and Dorr LLP, Brussels Offices)

- (3) “Present and Future Development of International Cooperation between Competition Authorities of Japan and EU”

Yasuhiko Harayama (Consumer Affairs Agency)

- (4) Comments

Tokuhiko Obata (Professor, the University of Marketing and

Distribution Sciences)

(5) Questions and Answers

II. “EU Intellectual Property Act, EPA and Geographical Indications, I Act and Japanese Companies”

(1) “EU Intellectual Property Act and Japanese Company”

Takamitsu Shigetomi (Oh-Ebashi Law Offices)

(2) “Legal Institutions of Protected Geographical Indications in EU and Japanese Companies”

Fumiko Oikawa (Atsumi & Sakai Law Offices, Joint Ventures)

(3) “Act on the Protection of Personal Information in EU and Japanese Companies”

Saori Hanada (Atsumi & Sakai Law Offices, Joint Ventures)

(4) Comments

Yuka Aoyagi (Associate Professor, Graduate School of Yokohama National University)

(5) Questions and Answers

Summary

Takao Suami (Professor, Waseda University)

2. Group Session B: “Economic Session”

Chaired by Takumi Shimada (Professor, Doshisha University)

(1) “Function and Problem of the Euro as a ‘Community-Based International Currency’ ~Response to the Sovereign Crisis and the Euro System”

Kazuyoshi Matsuura (Professor, Matsuyama University)

(2) “Economic Policy of ECP as a Response to Crisis”

Masato Nakao (Graduate School of Chuo University)

(3) “Polish Economy and Agricultural Section – Based on the Sight of Contribution to Economic Development –”

Mitsuyoshi Matsuura (Graduate School of Kobe University)

(4) “Influence of Regulation of State Aid in EU upon the Banking Section”

Amane Ishida (Graduate School of Rikkyo University)

(5) “Multinational Companies in EU – Focus on Action of Companies of German Ancestry and Japanese Ancestry –”

Yoshinori Wada (Associate Professor, Graduate School of Doshisha

University)

3. Group Session C: “Politics and Social Session”

Chaired by Hirotaka Watanabe (Professor, Graduate School of Tokyo University of Foreign Studies)

- (1) “EU Policy in Switzerland – Is It Possible to Choose a Third Way?”
Yasuyuki Kokubo (Professor, Graduate School of Toyo Eiwa University)
- (2) “EU and Asia: Institutionalization of Regional Integration and Future Transition of the Relationship”
Hideki Hayashi (Designated Professor, Meiji University)
- (3) “Active Citizenship of EU – Grappling with ‘Substantial Citizenship’ from the Education for Citizenship –”
Yuko Hosoi (Associate Professor, Saitama University)
- (4) “Interaction between EU and Signatories in Reform of Welfare before the World Financial Crisis – the Comparison of Policy of Employment with Policy of Unemployment Benefit under the Second Berlusconi Government in Italy –”
Asako Honda (Research Assistant, Waseda University)
- (5) “Sustainable Development with Regard to Developing Countries in EU and the Problem of Financial Resources”
Satoshi Iwano (Graduate School of Waseda University)

4. Plenary Session III:

“Agricultural Policy of EU in a Changing International Situation”

Chaired by Hiroko Yamane (Professor, National Graduate Institute for Policy Studies)

- (1) “WTO, TPP, FTA, and the Agricultural Policy of EU”
Taro Hamada (Associate Professor, Kinki University)
- (2) “European Agriculture and Intellectual Property”
Shigeo Takakura (Professor, Meiji Law School)
- (3) “Tendency of Exports of Main Dairy Products in EU”
Yoshiyuki Hiraoka (Professor, Sapporo Otani University)
- (4) “Precautionary Principles in the EU – Present from Regulation of GMO and so forth”
Norio Fujioka (Japan Association for International Collaboration of

Agriculture and Forestry)

(5) Discussion

11. International Law and Organizations

The *Japanese Society of International Law* held its 2015 Annual Meeting at Nagoya Congress Center during September 18-20, 2015.

Day One:

Plenary Session: The “Changes” of the System of Sovereign States

Chair: Kazuhiro Nakatani, Professor, University of Tokyo

1. Japanese Practice in State Recognition
Masahiro Kato, Official, Ministry of Foreign Affairs of Japan
2. Secession in International Law: How Should We Understand the Challenge to the Territorial Sovereignty?
Zhi-an Wang, Professor, Komazawa University
3. Reconsideration of the Legal Criteria for Statehood in the International System of State Recognition: Focusing on the Cases in the Non-European States
Eiichi Usuki, Professor, Daito Bunka University
4. The Relationship between State (Government) Recognition under International Law and International Private Law
Hiroshi Taki, Professor, Chuo University

Day Two:

Plenary Session: Modern Challenges in Security

Chair: Masahiko Asada, Professor, Kyoto University

1. Collective Self-Defense in Modern International Society: Requirement of Request for Assistance and the Legal Character of the Right to Collective Self-Defense
Tadashi Mori, Professor, University of Tokyo
2. Rethinking of the Conditions of Occurrence of the International Armed Conflict: The Functions of the Status of Combatant
Masahiro Kurosaki, Associate Professor, National Defense Academy